

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION

CARLOS ANDRES MOSQUERA

PETITIONER

V.

CIVIL ACTION NO. 3:24-CV-640-KHJ-MTP

WARDEN

RESPONDENT

ORDER

Before the Court is Magistrate Judge Michael T. Parker's [13] Report and Recommendation. The Court adopts the [13] Report. The Court thus denies pro se Petitioner Carlos Andres Mosquera's [1] Petition for Writ of Habeas Corpus, and it dismisses this action without prejudice.

Mosquera filed a Section 2241 [1] Petition, seeking to apply First Step Act time credits to his federal criminal sentence. [1] at 1–3. Respondent argued (among other things) that Mosquera failed to exhaust his administrative remedies and that no exception to the exhaustion requirement applies. Resp. [12] at 3–6; *see also* Landers Decl. [12-1] at 2–3. On that basis, the [13] Report recommends dismissing this action without prejudice. [13] at 1–4.

When no party objects to a magistrate judge's report, the Court need not review it de novo. *See* 28 U.S.C. § 636(b)(1). Instead, the Court can apply the clearly erroneous, abuse-of-discretion, and contrary-to-law standard of review. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989) (per curiam).

The [13] Report notified Mosquera that failure to file written objections would bar further appeal in accordance with 28 U.S.C. § 636(b)(1). [13] at 5. Mosquera did not object to the [13] Report, and the time to do so has passed. The Court finds that the [13] Report is not clearly erroneous, an abuse of discretion, or contrary to law. So the Court adopts the [13] Report as the opinion of this Court.

The Court has considered all arguments. Those not addressed would not have changed the outcome. For the stated reasons, the Court ADOPTS Magistrate Judge Michael T. Parker's [13] Report and Recommendation, and the Court DISMISSES without prejudice Mosquera's [1] Petition for Writ of Habeas Corpus. The Court will enter a separate final judgment consistent with this Order.

SO ORDERED, this 16th day of July, 2025.

s/ Kristi H. Johnson  
UNITED STATES DISTRICT JUDGE